1950

File No. Dist Police II/50(R)

Legal Deptt

B **BRANCH**

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Subject:— Rules under the Bombay District Police Act 1890.

P.D. 41

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File No. Dist Police II/50(R)

Office of the R.L.A.

R.L.A. sees no reason to modify his previous opinion No.3291 dated 26-3-49. The fact that the Madhya Pradesh State has ordered the maintenance of such registers would be no valid ground for adopting the same by the Bombay State unless it has legal cover. The Court has every right to go into the question of the validity or otherwise of the order for the breach of which the prosecution is launched. The view taken by Inspector General of Police is not correct.

The other proposal to make a rule as on page 86 ante, is in order. A revised draft rule is sent herewith. It will have to be embodied in the draft-model rules prepared by Government for the guidance of District Magistrates.

Id/-P.M.L.
17/4
Remembrancer of Legal Affairs.

U.R. to H.D.No. 8282 dated 18th April 1950.

BKS. 16/6/ 4c.

Sec
20/6

3 to 5

Legal Department.

A revised draft rule is sent herewith which is to be numbered 16 in the draft Model Rules.

Id/-J.R.D. 19/5
Additional Secretary to Government.

U.R. to H.D.,No. 6371 ,dated the 20th May 1950.

BKS. 16/6/ 4c.

After rule 15 of the Model Rules accompanying Government Notification, Home Department No. ,dated the the following new rule shall be inserted, namely :-

"16. The District Magistrate may assign any of his functions under these rules to a Sub Divisional Magistrate."

BKS. 16/6/ 4c.

Legal Department.

There is no objection to provide that ~~the~~ the Licensing Officer for premises shall be the District Magistrate. If as stated as A in D.S's note that the intention is no permission for the opening of premises for public entertainment or amusement is to be granted without the order of Government, it will be necessary to add a rule as follows under the heading "General".

"50A. No licence for premises under these rules shall be granted without the previous sanction of Government."

Id/-J.R.D.
26/8
Additional Secretary to Government.

U.R. to H.D.(Poll.) No. 12235 ,dated the 26th August 1950.

BKS. 16/6/ 4c.

Legal Department.

The proposal is to amend rule 21(j) of the Rules for Licensing and Controlling Theatres and other Places of Public Amusement so as to lay down new standards in respect of construction of urinals and latrines in theatres. The intention, however, is that this new standard should not be made applicable to existing theatres in case it is found that it would not be possible for the existing theatres to adopt the new standard. To carry out this intention, it would be necessary to make a specific provision in the rule itself exempting the existing theatres from the scope of the revised rule. The new rule, which shall be substituted for the existing rule 21(j), may be in the following terms :-

"(j) In the case of permanent or quasipermanent theatres within the limits of a Municipality, suitable urinals as approved by the Municipality at the rate of not less than 2 per cent and latrines at the rate of not less than 1 per cent of the number of individuals to be accommodated in such premises shall be provided in suitable places, and shall be so constructed as to cause no nuisance:

Provided that in the case of a any such theatre constructed before ----------*, if the licensing officer is satisfied that the urinals and latrines at the rate prescribed above cannot be provided, such theatre may contain provision for urinals and latrines at the rate prescribed immediately before the aforesaid date."

*Here insert the date of the notification inserting the new rule.

Id/-J.R.D. 6/12
Additional Secretary to Government.

U.R. to H.D. No. 17271 , dated the 6th December 1950.

BKS. 16/6/ 4 c.